IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (Large Entity)

Application Number: 09/768,592   Group Art Unit: **2667**

Filed: **January 25, 2001**   Examiner Name: **MURPHY, Rhonda L.**

Applicant: **BEREBBAUM**   Attorney Docket Number: **20-105**

TITLE: **AUTOMATIC QUALITY OF SERVICE ASSIGNMENT IN ETHERNET SWITCHES**

Total Number of Pages in this Submission: 10

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

     Transmitted herewith is:
An amendment in the above-identified application (10 Pages)

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER Amendment	HIGHEST # PREV. PAID FOR	# OF EXTRA CLAIMS	RATE	ADDITIONAL FEE
Total Claims	22	22	0	x $18 =	$ 0.00
Independent Claims	3	3	0	x $88 =	$ 0.00
Multiple Dependent Claim(s), if applicable				x $300=	
		TOTAL ADDITIONAL FEE:			$0.00

     The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. 1.16 or any patent application processing fees under 37 C.F.R. 1.17 associated with this communication, or credit any over payment to **Deposit Account No. 50-0687 under Order No. 20-105.**

Respectfully submitted,

William H. Bollman
Reg. No.: 36,457
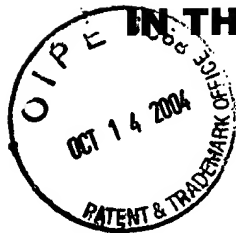Attorney for Applicant(s)

Date: October 14, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF:

BERENBAUM 11

TITLE: **AUTOMATIC QUALITY OF SERVICE ASSIGNMENT IN ETHERNET SWITCHES**

October 14, 2004

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Responsive to the Office Action dated July 16, 2004, please amend the subject application as follows:

IN THE SPECIFICATION:

Please replace the paragraph at page 8, lines 1-13, with the following amended paragraph:

The input controller **103** then refers to the data period detector **109**, data rate detector **110** and QoS table **104** to determine if a packet is part of a voice stream or data stream based on rate and periodicity and forwards the packet to the appropriate output queue **105** and **105n**. The data period detector **109** detects a consistency of periodicity between data packets from a particular source (e.g. voice device **704** and **705**). Upon detecting a consistency of periodicity, the data period detector ~~103~~ **109** creates and/or modifies an entry in the QoS table **104**. Preferably, the data period detector ~~103~~ **109** detects a